



# MALDEF

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June 17, 2007

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Re: Second Letter to Dr. Wendell Brown, Superintendent- UCISD and  
Uvalde CISD Board of Trustees  
DR-70-CA-14, *Morales v. Shannon*

Dear Mr. Cook and Dr. Brown:

Washington, D.C.  
Regional Office  
1717 K Street, NW  
Suite 311  
Washington, DC 20036  
Tel: 202.293.2828  
Fax: 202.293.2849

This letter serves as a reply to the District's response to Plaintiffs' letter dated June 5, 2007.<sup>1</sup> We identified two major concerns with respect to the desegregation plan of the Uvalde CISD: 1) the District's failure to seek court approval of the closure of grades 7 and 8 at the Batesville School and the transfer of those students to Uvalde Junior High School; and 2) the District's failure to produce the required annual reports. The District's reply is wholly deficient for the following reasons and Plaintiffs request a response within seven days of the date of this letter.

Houston  
Program Office  
Ripley House  
4410 Navigation  
Suite 118  
Houston, TX 77011  
Tel: 713.315-6494  
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## I. Batesville School

Sacramento  
Satellite Office  
1107 9th Street  
Suite 240  
Sacramento, CA 95814  
Tel: 916.443.7531  
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The desegregation plan entered by the federal district court on June 28, 1976 and the subsequent modifications of the order control the assignment of students in the Uvalde CISD. The District acknowledged the court's oversight when it filed for permission to modify the desegregation plan in 1995 and again in 2002. The latter filing (Dkt. No. 97) concerned a request by the District to allow students to attend grades 7 and 8 *either* at the Batesville School or Uvalde Jr. High School. The District's current position mistakenly interprets the court order of 2002.

<sup>1</sup> This letter was faxed directly to Dr. Wendell Brown, as Mr. Cook had permitted Plaintiffs' counsel to discuss these matters with Dr. Brown. If such communication is no longer permitted, please advise.

*Celebrating Our 38<sup>th</sup> Anniversary*  
*Protecting and Promoting Latino Civil Rights*

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June 18, 2007  
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Nowhere in the court's order does it authorize the closure of grades 7-8 at the Batesville School. Rather, the order gave students the *choice* of attending Batesville *or* Uvalde Jr. High. The District's decision to close Batesville provides those students with no choice.

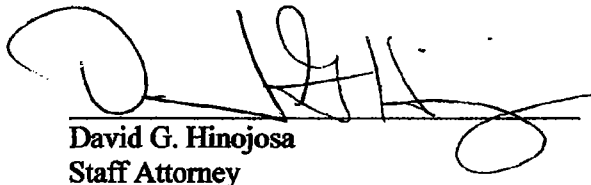
Accordingly, Plaintiffs request that the District inform them whether the District intends to file for modification of the desegregation plan. Plaintiffs further request that the District provide Plaintiffs with documents and other existing evidence of its efforts to implement the 2002 modification, including but not limited to the special curricula programs developed to attract students to the Batesville School; the existing curricula programs available at the Batesville School for grades 7-8 and Uvalde Jr. High School; and the effects on the faculty, staffing, student assignments, transportation, class sizes, and bilingual/ESL programs at both Batesville and Uvalde Jr. High. Plaintiffs further make a second request for all required notices and supporting documentation related to the closure and transfer.

## II. Annual Report

The "annual report" submitted by the District to the Court is wholly deficient. The desegregation order signed by the Court on June 28, 1976 and the subsequent supplemental order filed on May 5, 1995 identify a number of different reporting requirements by the District. Despite Plaintiffs' request for Defendants to comply with the Court order, Defendants filed its "Statistical Report" on June 12, 2007 with very limited information. Accordingly, Plaintiffs intend to file an objection with the Court.

Thank you for your immediate attention to this matter.

Sincerely,



David G. Hinojosa  
Staff Attorney

CC: Client